Previous references.

Pris 34-12; 1-4

1912.

(Prisons).

File No. 51-12

Serial Nos. 1-3

Later references.

Pris 35-15 SL 1-2, 4-6 &c
56-16 (1-3-45)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3

Part B. for November 13

SUBJECT.

Inclusion in the Jail Manual of a rule re the Computation of a commuted sentence of transportation for life

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Table of Contents

1) From the Inspector-General of Prisons No 668/7-13 Dy 23.5.13 Submitting a draft of a rule in the matter of calculating the period in cases in which sentences of death are commuted to transportation & requesting that it may be caused to be substituted for rule 8 of the rules for calculating the date of release of prisoners

2) To the I.G. of Prisons & the Regr Chief Court nos 1311-12 & 3.11.13 Directing the substitution of the new rule for the present rule 8 in the set of rules regarding the calculation of the date of release of prisoners issued under G.O. no 12994-95/J 1601 Dy 15.5.1899

3) To the Compiler, Supplee Gazette no J 1308 Dy 1.11.13 Notifying the substitution of the new rule

MSaulkeld
1.12.13

G.R.S. 11] 1912.

GENERAL AND REVENUE SECRETARIAT.

(Prisons)

NOTES.

File No. 57/12

FILE HEADING.

Inclusion in the Jail Manual of a rule re the computation of a commuted sentence of transportation for life.

From :-

The Inspector General of Prisons in Mysore

No. 668/713 Dated 23.5.13 Received 26.5.13

Diary No. J 3408	Enclos. 1	Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits a draft of a rule in the matter of calculating the period in cases in which sentences of death are commuted to transportation & requests that it may be caused to be substituted for rule 8 of the rules for calculating the date of release of prisoners.

NOTES AND ORDERS.

Subd. with a draft order & notification.

2 Necessary note will be made in the draft jail manual. The corresponding rule in the ~~K.H.(123) 29.6.13~~ Madras jail Manual in the matter is rule 315. The High Court may perhaps be

S

NOTES—First Sheet.

GPB—30,000—12-8-11

3408

2

G. R. S. 12]

General and Revenue Secretariat. | Pris File No. 5-1 of 1912

Serial No.

consulted.

KV(123) SW
29.5.13

3) If approved, the Chief Court will be consulted at/ir Dr Leet)

5) The draft seemall right

1st Consulter

30/5

Draft ag Secr 30/5 S/c

4) The Ch. Court may be Consulted. 4/6/13

Draft ag 7/6

Draft ag S/C 7/6

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

3408

(3

[G. R. S. 12]

General and Revenue Secretariat. | Pro File No. 57 of 1912

Serial No.

Qr. no. 9.49-12 / 9.6.13.

6) Forwarded unofficially to the Registrar, Chief Court for favour of opinion of the Chief Court.

By order,
Rajagopal
For Secretary to Govt
SW

10.6.13

No: 4384 / 343 Secy one
dy. 27-6-13

111 Pro 2816 1912

Opinion of the Chief Court.

7) "We see no objection, the latter part of the rule proposed being also in accordance with the view taken by this Court in Proceedings, dated the 2nd April 1912 (a copy of which is sent herewith).

8) Returned with the opinion of the Chief Court.
27.6.13
As awaraths
Asst Regr

NOTE—Contn. sheet.

GPB—35,000—17-6-12.

14

PROCEEDINGS OF THE CHIEF COURT OF MYSORE.

Bangalore, dated 2/3rd April 1913.

Read letter No. 244/F. 16 dated the 28th March 1912, from the Superintendent, Central Jail, Bangalore, enquiring whether the original warrant issued in ~~Cxi~~ Criminal Appeal No. ~~309~~ 9/ Crl. Referred Case No. 1 of 1911-12 commuting the sentence of death passed in Chief Court Sessions Case No. 48 of 1910-11 on Mokdum Sab (accused) to one of transportation for life may be returned to this Court and requesting that a fresh warrant amended in accordance with this Court's order may be sent with instructions as to the date from which the altered sentence takes effect.

The sentence of transportation takes effect from the date of the order of the appellate Court.

A fresh warrant is herewith sent.

(Sd)/- V.A. Rajaratna Mudaliar,
Registrar.

To,

The SUPERINTENDENT,
Central Jail,
Bangalore.

"Copy"

Ag. Registrar.

1131

G. R. S. 12]

General and Revenue Secretariat. | No. File No. 57 of 1912

Serial No.

9) Subd. A draft order & notification have already been put up.

K.N. (123) 30.6.13

Dy Secy

10) The case will be submitted to Govt in person.

30/6 Draw 1/7 M

1st Councillor

Daughter 4/7 SR

11) The draft rule may be passed.

Draw (A 2nd Councillor) 6/7/13 Draw 7/7 M

12) The draft notifn has been approved by 2° Cor.

3901 10.7.13

824(54) 9/7 Draw

Draw 9/7 SR

NOTE—Contn. sheet.

GPB—35,000—17-6-12.

16

Submitted to His Highness.

(13) In March last, the Inspector General of Prisons solicited instructions as to the date from which the sentence of imprisonment should begin in a case in which a death sentence is commuted to one of transportation for life. The question was discussed and it was ordered that the calculation in all such cases should be made from the date of the order of His Highness the Maharaja commuting the sentence of death; but as there is no specific rule at present in the matter, the Inspector General was asked to submit a draft rule for incorporation in the Jail Manual and he has done so.

P.

Paper under "disposal"

(14) 2. The Chief Court who were consulted in the matter have no objection to the insertion of the proposed rule as it is in accordance with the view they held in their Proceedings dated 2nd April 1912.

P.x 3449 office notes

(15) 3. The Councillors and myself are in favour of the adoption of the rule which is based on rule 315 of the Madras Jail Code.

(16) 4. In these circumstances, His Highness may be pleased to accord sanction to the proposed rule.

A. Rangaraya -
1st Oct. 1913.

7.

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Draft rule fixing the date from which the sentence of imprisonment should begin in a case in which a death sentence is commuted to one of transportation for life.

3/3.

Order.

~~KRW~~

6/10/13

17 Secretary

7.10.13

B iii

(8) Draft

3408

8

General and Revenue Secretariat. | Pris File No. 51 of 1912

Serial No.	
19	The draft notification already submitted has been initialled by the Councillors. may this and the draft order now issue? Subd. AS. 17/10/13 Dy Secy) SDR 17/10
20	The draft order may be kindly approved. 2nd Councillor) Dewan 21/10 21 approved well 23/10 23/10 Dewan 22/10
	8 4-11-13
	22/10/14 SDR 24/10
2	do. The I. G. of Prisons & the Registrar, Chief Court no. J 1311-12 dt 3.11.13 Directs the substitution of the new rule for the present rule 8 in the set of rules regarding the calculation of the date of release of prisoners issued under G.O. no. 12994-95/J 1601 dt 15.5.1899.
3	do. The Compiler, Mysore Gazette no. J 1308 dt 1.11.13 Dor Notifies the substitution of the new rule.

NOTE—Contn. sheet.

GPB—35,000—17-6-12.

No. 668 / 7-13 E.I.

OFFICE OF THE INSPR.-GEN. OF PRISONS IN MYSORE,

Dated Bangalore, 23rd May 1913.

FROM

P.S.Achyuta Rao Esqr.,

Inspector-General of Prisons in Mysore,

Bangalore.

DIARY No. J. 3408.

	19/2-10/13
SECTION	Prisons
FILE No.	51-12
SERIAL No.	1

To

K.R.Srinivasiengar Esqr., M.A.,

Offg. Secretary to the Government of H. H.

the Maharaja of Mysore, Gen. and Rev. Depts.

SIR,

With reference to para 5 of Government Order No. J.3317-18/Pris.34-12-4 dated the 3rd May 1913, requesting me to submit a draft of a rule in the matter of calculating the period in cases in which sentences of death are commuted to transportation, I have the honor to submit herewith for favor of approval of Government a draft of the amended rule 352 of the Revised Mysore Jail Manual, which is pending final approval of Government.

2. I request that the same rule, if approved by Government, may also be kindly caused to be substituted for Rule 8 of the Rules re calculating the date of release of prisoners, approved by Government in their Order No.12994-95/J.1601 dated 15th May 1899.

I have the honor to be,

Sir,

Your most obedient servant,

P. J. Achyuta Rao

Inspector-General of Prisons.

T.C.G.

III/2015 Pro 23/5

From

The Inspr.-Gen. of Prisons
in Mysore, Bangalore.

To

The Secy. to the Govt. of Mysore,
Gen. and Rev. Depts.

Dated 23rd May 13.

Despatched

Received

General No. 668

No. 7-13.

Enclosure No. /

Subject.

Forwards, for favor of approval of Govt., a draft of a rule in the matter of calculating the period in cases in which sentences of death are commuted to transportation for life.

GPB—489—10-9-12

Encl 6 Pris 51-12-1

Rule 352 of the Revised Mysore Jail Manual which is pending final approval of Government, may be kindly modified as under.

" When the Appellate Court simply modifies a sentence passed by a lower Court without change of Sections, or when the Appellate Court passes a new sentence by changing the conviction section or the punishment section or otherwise, the sentence finally passed shall count, unless otherwise specially directed, from the first day of imprisonment under the original sentence. In cases however in which sentences of death are commuted into periods of transportation or imprisonment, either under orders of the Chief Court of Mysore or of His Highness the Maharaja, ~~of Mysore,~~ the period of transportation or imprisonment shall be calculated from the date of the order of the Chief Court of Mysore or of His Highness the Maharaja ~~of Mysore~~, as the case may be, quashing the sentence of death and substituting the revised sentence."

C. V. Ranganathaiah

Inspector-General of Prisons.

Approving of the rule in the matter of calculating the period of a commuted sentence of transportation for life.

(3)

G.R.S. 28.]

ab Pris

File No. 51-12

Serial No. 2

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* P 19

Date of issue 3/11/1913

Signed by S. P. Raja Gopal Chari

READ—

x

Para 5 of G.O. no. J 3317-18/ Pris 34-12-4 dt 3rd May 1913 calling for a draft rule in the matter of calculating the period in cases in which sentences of death are

ORDER THEREON.—No.

commuted to transportation for life, for incorporation in the Jail Manual.

x

2. Letter no. 668/7-13 dt 28th May 1913 from the I. G. of Prisons in Mysore submitting a draft of the

over

Papers returned disposed

SUBJECT.

GPB—10,000—19-4-10

4

rule called for and requesting that the same may be caused to be substituted for rule 8 of the rules now in force re calculating the date of release of prisoners.

Order thereon: No. J. 1311-12.

As no specific rule exists at present in the matter referred to above, the Govt. of H.H. the Maharaja are pleased to direct that the following rule be substituted for rule 8 in the set of rules ~~enact~~ regarding the calculation of the date of release of prisoners issued under G.O. no. 12994-95-J.-1601-8-15.5.1899.

R

"When the Appellate Court simply modifies a sentence passed by a lower Court without change of sections, or when the Appellate Court passes a new sentence by changing the conviction section or the punishment section or otherwise, the sentence finally passed shall count, unless otherwise specially directed, from the first day of imprisonment under

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

the original sentence. In case however in which sentences of death are commuted into periods of transportation or imprisonment, either under orders of the Chief Court of Mysore or of H. H. the Maharaja, the period of transportation or imprisonment shall be ~~calcula~~ calculated from the date of the order of the Chief Court of Mysore or of His H. H. the Maharaja, as the case may be quashing the sentence of death and substituting the revised sentence."

2. A notification publishing the above rule will be issued separately.

WLH 23/10

Dlw 4/7 SR For Secy to Govt

To The D.G. of Prisons in Mysore
The Registrar, Chief Court of Mysore

KN (123) 29.5.13 EN

AL 31/5

Notification re substitution of a rule for rule 8 of the rules for calculating the date of release of prisoners.

G.R.S. 26]

2 Drafts

25/J 3408

File No. 51-12

Serial No. 3

Diary No. of letter replied to _____

General and Revenue Secretariat

( )

, *the* 19 .

Date of issue 1 · 11 · 13

Signed by Mr K R Srinivasa Iyengar

Notification

No J 1308

To

Under Section 54(5) of the Prisons Act of 1870, the Govt. of H.H. the Maharaja of Mysore are pleased to direct that the following be substituted for rule 8 in the ~~orders~~ rules regarding the calculation of the date of release of prisoners, issued under G.O. no. 12994-5/J 16.01(8) 15-5-1899.

"When the Appellate Court simply modifies a sentence passed by a lower court without change of Sections, or when the

over.

SUBJECT.

7

Appellate Court passes a new sentence by changing the conviction section or the punishment Section or otherwise; the sentence finally passed shall count, unless otherwise specially directed, from the first day of imprisonment under the original sentence. In cases, however, in which sentences of death are commuted into periods of transportation or imprisonment either under orders of the Chief Court of Mysore or of H.H. the Maharaja, ~~as the case may be~~ the period of transportation or imprisonment shall be calculated from the date of the order of the Chief Court or of H.H. the Maharaja, as the case may be, quashing the sentence of death and substituting the revised sentence."

By order,

List of enclosures,

Copied by

Examined by

SN 9/5/13

Secy to Govt.

The Compiler, Mysore Gazette for publication with Kannada translation.

(1½3) 9.5.13

GPB—20,000—25-9-10

45287

Mysore Gazette
Part-I Page 1638
of 6th Nov. 13

G. R. S. 70]

Government of H. H. the
Maharaja of Mysore.

GEN. & REV. SECRETARIAT.

REQUISITION FOR PAPERS.

Section

A A Spare Copy
Para 51-123

B

Filed J1308 of 51-123

Deposit of 1-11-13

File No.

Serial No.

Record

To be put up with Diary No. ___ of 191.

Signature
Branch
Section
Date

20/11

GPB—30,000—21-1-14

Spare copies of the above
G.O. have not been sent
in the Records.
Copied 14/11/14